



City of Hialeah Rezoning/Variance (Packet)

The attached application must be completed (Printed in ink or typed) and submitted with all enclosures referred to therein, to the Planning Division of the Hialeah Planning and Development Department, 2nd Floor, City Hall, before advertisement may be made for a public hearing.

The applicant is reminded that the change requested in this application must be justified and the mere filing of the application or appearance at the public hearing does not assure approval of the application.

ALL QUESTIONS MUST BE ANSWERED

The following forms are included in this packet:

1. Required Enclosure List and Fee Schedule (Pages 1-2)
2. Instructions Sheet
3. Application Form (Pages 1-2)
4. Disclosure of All Parties in Interest Form (2 Pages)
5. Sample Petition Form. Call the Planning Division (305) 883-8075 or (305) 883-8076 to ensure correct wording of the petition. A "Petition Approval Stamp" is required.
6. Sample Mailing Labels
7. Radius Map & Petition/ Owner's List Affidavit

PLEASE NOTE: Letters of Authorization, Power of Attorney, etc. **MUST BE NOTARIZED.**

**CITY OF HIALEAH
REZONING/ VARIANCE**

REQUIRED ENCLOSURES AND FEES

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- a. **25 copies of a Special Purpose Survey** (An As-Built Survey, less than six months old, which includes the square footage of the lot, square footage of permeable area, lowest finished floor elevation, and Flood Insurance Rate Map data). (At least two copies with Surveyor's embossed seal).
 - b. **25 sealed copies of a Radius Map** showing all properties within 500 feet of the perimeter of the subject property. Map to be at a scale of 150 feet to one inch or larger. Owner's name on each parcel. **(Statement must be included on Radius Map indicating it was prepared by a certified surveyor or mapper).**

NOTE:

Both Survey and Radius Map shall be prepared by a Professional Surveyor or Mapper licensed pursuant to Chapter 472, Florida Statutes.

- c. **2 copies of Base Maps** (Radius Map prior to insertion of ownership on parcels) No larger than 8-1/2" x 14" (legal size).
- d. **25 copies of Site Plans** with building elevations, prepared by an engineer, architect or landscape architect in accordance with Article III, Division II, Sec. 98-371 of the Hialeah Code of Ordinances. (At least 3 copies with professional's embossed seal).
- e. **Request/ Owner's List** prepared as per sample. Includes verbiage on each sheet and lists properties within a 500-foot radius of the subject property, exclusive of the petitioner, stating the request to be considered.

A **"Petition Approval Stamp"** must be affixed on the petition by the Planning Division prior to circulation.

The petition must reflect the legal descriptions, folio numbers and property addresses of all properties within a 500-foot radius of subject property, complete with names and mailing addresses of property owners as reflected by the most recent tax records. This form must be printed in a size equal to or greater than 12-point font.

*** Condominiums ***

If the condominium board is developer-controlled, then all unit owners are to be included on the owner's list.

In both instances, the name of the association and its president and the association's address where a notice is to be mailed, must be provided.

- f. **Affidavit** stating that the **Radius Map & Request/ Owner's List is complete and accurate.** Signed by the individual or company who prepared said documentation.

**CITY OF HIALEAH
REZONING/ VARIANCE**

REQUIRED ENCLOSURES AND FEES

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- g. **Mailing labels** with the names and mailing addresses of those owners in the radius. (Do not include duplicate names and addresses).
 - h. **Disclosure of All Parties in Interest** form.
 - i. **APPLICATION FEES:** Hearing fee of \$200.00 for one acre or less and \$50.00 for each additional acre or fraction thereof. Triple fee shall apply if a building addition or alteration has been commenced without a building permit and/ or prior to the approval of the applied for zoning change, if such zoning change is necessary in order to legally allow said building addition or alteration.

Any 100% service-connected disabled veteran, upon proof of such disability, shall receive a 50% reduction in fees for an application filed on the disabled veteran's homestead, providing the veteran has owned the homestead property according to the Public Records of Miami-Dade County, Florida, for a period of at least two years prior to the date of this application.

Prior to the hearing, city-supplied signs will need to be posted on the property. The sign(s) shall contain the day, date, time and location of the hearing. The sign(s) shall also include the applicant's name, the location of the property, and the request. The sign(s) shall be placed in public view on each frontage of the property with a minimum of one (1) sign per every 165 feet of frontage. These signs shall be placed a minimum of one hundred sixty-five (165) feet apart. The number of signs required is determined the Planning Division. The applicant pays the cost of the sign(s). Each signs costs \$5.00.

- j. **BE ADVISED THAT AT THE END OF A REZONING/VARIANCE PROCESS IF ADDITIONAL LIVING UNITS OR SQUARE FOOTAGE ARE GRANTED, ALL APPLICABLE IMPACT FEES (PARKS & RECREATION, ROADS, SCHOOLS, ETC.) SHALL BE PAID, BASED ON PER UNIT OR SQUARE FOOTAGE OF CONSTRUCTED AREA.**
- k. **BE ADVISED THAT DUE TO THE FACT THAT ALL REQUESTS ARE UNIQUE, ADDITIONAL DOCUMENTATION MAY BE REQUIRED. YOU WILL BE NOTIFIED, IF ADDITIONAL DOCUMENTATION IS REQUIRED.**

**CITY OF HIALEAH
REZONING/ VARIANCE**

Instructions

Applicant Information (Lines 1 through 4)

The individual submitting this application is required to complete this section. If the applicant is a joint property owner, a trustee, a corporation, or a partnership, notarized supporting documentation is required to show that the applicant is authorized to submit the application. **Any application missing said documentation is subject to be returned.**

Property Information (Lines 5 through 8)

- Line 5 The folio number is recorded in the Miami-Dade County tax rolls.
- Line 6 The address as listed in the Miami-Dade County tax rolls or the approximate location.
- Line 7 Legal description as stated in the survey of the property.
- Line 8 Existing Zoning designation. (Office use only)

Requested Zoning and/or Variance (Line 9)

- Line 9 Enter the desired zoning and or variance.

Justification for Request (Line 10 and 10a)

- Line 10 State the reason for the request.
- Line 10a If applicable, state provisions to be made for official right-of-way.

Affidavit (Lines 11 through 13)

- Line 11 The applicant(s) name is printed or typed and the applicant(s) relationship to the property is to be indicated. **Applications received without notarized documentation supporting the applicants' authorization to act on behalf of the legal owner will be returned. It is the applicant's responsibility to ensure that all documentation is attached.**
- Line 12 Signature of the applicant(s) whose name(s) appears on line 12.
- Line 13 Jurat, to be completed by a Notary Public.

City of Hialeah
Application for Rezoning/Variance Hearing
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Applicant Information

- 1) ☐ **Owner of Property** ☐ **Representative**
- 2) **Name:** _____
- 3) **Home Phone:** () _____ - _____ 3(a) **Work Phone:** () _____ - _____
- 4) **Mailing Address:** _____
- City:** _____ **State:** _____ **Zip Code:** _____

Property Information

- 5) **Folio Number:** _____
- 6) **Address or Location:** _____
- 7) **Legal Description:** _____
- _____
- _____
- 8) *(Office Use Only):* Existing Zoning: _____
- 8(a) Existing LUP: _____

**Requested
Zoning/Variance**

- 9) **Zoning and/or Variance desired:** _____
- _____
- _____
- _____

**Justification for
Request**

- 10) **Special conditions or reasons justifying requested Zoning or Variance:**
- _____
- _____
- _____
- _____
- 10(a) **If applicable, what provisions will be made for official right-of-way?**
- _____
- _____

City of Hialeah
Application for Rezoning/Variance Hearing
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A F F I D A V I T

STATE OF FLORIDA

COUNTY OF _____

(I) (We), _____ say that

(I am) (We are) the

☐ Owner(s) of the property

☐ Representative of the owner of the property

and (I) (WE) affirm that all answers are true and accurate to the best of my / our knowledge.

Applicant(s) signature

Applicant(s) signature

Applicant(s) signature

Applicant(s) signature

The forgoing instrument was acknowledge before me on this _____ day of _____,
_____, by _____.

(Applicant)

Did take oath ☐ or Did not take oath ☐

Personally known ☐ or Produced Identification ☐

Type of identification produced: _____

Signature of Notary Public

Name of Notary typed, printed, or stamped

My commission expires

Disclosure of all Parties in Interest

Type of application: _____

Types: (platting, rezoning, variance, special use permit, conditional use permit, final decision, land use map amendments).

* If applicant is a corporation or partnership, all officers and or partners shall disclose their name and addresses.

Name(s) and address(Es) of all legal and/or equitable owners, even if said property is held in trust for same:

Names(s) and address(es) of those having any interest in a contract for sale of said property, including real estate brokers and sales persons:

Mortgage(es) of property:

All those having any interest in a contract for sale, shall disclose whether they are acting in trust and/or for an undisclosed principal and, if so, shall disclose the name(s) and address(es) of the beneficiary(ies) of the trust or the principal(s) and their interest in the contract:

The disclosure required must be made and or updated within a reasonable time, as may be necessary, in order to ensure that the information disclosed is accurate at the time of filing and at all times thereafter, specifically, at dates upon which action is discussed and/or taken upon such property.

A f f i d a v i t

This is to certify that the undersigned (has) (have) prepared the foregoing disclosure of all parties in interest on property legally described as:

Located at: _____

(I) (We) further understand that any change(s) in said disclosure shall be updated and accurate at all times, specifically all dates upon which action is discussed and / or taken on said property.

(I) (We) further certify that to the best of (my) (our) knowledge it is a complete disclosure.

Signature

Signature

State of _____

County of _____

The foregoing instrument was acknowledged before me on this _____ day of _____,
_____ by _____.

(Owner / Representative)

Did take an oath [] or Did not take an oath []

Personally known [] or Produced identification []

Type of identification produced _____

Signature of Notary Public

Name of Notary typed, printed, or stamped

My commission expires

REQUEST/OWNERS LIST

**CITY OF HIALEAH
PETITION APPROVED**

SUBJECT PROPERTY: 501 PALM AVENUE, HIALEAH, FLORIDA.
ZONED: CUD (GOVERNMENTAL USE DISTRICT)

THE FOLLOWING ARE PROPERTY OWNERS WITHIN A 500-FOOT RADIUS OF THE FOLLOWING LEGALLY DESCRIBED PROPERTY.

LEGAL DESCRIPTION: LOTS 1 THROUGH 24, BLOCK 1, TOWN OF HIALEAH, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 77, OF THE PUBLIC RECORDS OF MIAMI-DADE COUNTY, FLORIDA.

REQUEST:

REZONING SAID PROPERTY FROM R-1 (ONE FAMILY DISTRICT) TO R-2 (ONE AND TWO FAMILY RESIDENTIAL DISTRICT) AND GRANTING A VARIANCE PERMIT TO ALLOW THE MAXIMUM ALLOWABLE LOT COVERAGE OF 30% TO BE EXCEEDED BY 2%, FOR A TOTAL LOT COVERAGE OF 32%, FOR THE CONSTRUCTION OF A SECOND UNIT.

CONTRA TO: HIALEAH, FLA., CODE SECTION 32-7(25)(b), WHICH STATES IN PERTINENT PART, "MAXIMUM OF THIRTY (30) PERCENT OF THE NET RESIDENTIAL LAND AREA MAY BE COVERED WITH OR OCCUPIED BY THE PRINCIPAL RESIDENTIAL STRUCTURES."

S A M P L E	FOLIO# AND LEGAL DESCRIPTION		OWNERS	
	<u>TOWN OF HIALEAH, PB 5/77</u>			
	LOT 1, BLOCK 2	04-3118-001-0200	CITY OF HIALEAH	
	P.A. 600 PALM AVE		P.O. BOX 40	
			HIALEAH, FL 33011	
	LOT 2, BLOCK 2	04-3118-001-0300	PLANNING & ZONING	
			610 PALM AVE	
			HIALEAH, FL 33010	
	<u>BRADLEY MANOR PB 10/64</u>			
	TRACT A		BUILDING DEPARTMENT	
			500 PALM AVE	
			HIALEAH, FLORIDA 33010	
	<u>1ST ADDN TOWN OF HIALEAH PB 34/26</u>			
	LOTS 1-4, BLOCK 4	04-3118-045-0500	JOHN DOE & W/JANE	
	P.A. 800 E 1 AVE		100 CIRCLE DRIVE	
			MIAMI SPRINGS, FL 33166	
	LOT 5, BLOCK 4	04-3118-045-0600	JANE SMITH	
			801 F 2 AVE	
			HIALEAH, FL 33010	

MAILING LABELS

S

CITY OF HIALEAH
P.O. BOX 40
HIALEAH, FL 33011

PLANNING & ZONING
610 PALM AVENUE
HIALEAH, FL 33010

BUILDING DEPARTMENT
500 PALM AVE
HIALEAH, FL 33010

JOHN DOE & JANE
100 CIRCLE DRIVE
MIAMI SPRINGS, FL 33166

JANE SMITH
801 EAST 2 AVENUE
HIALEAH, FL 33010

JOE JONES & CATHY
125 - 15 STREET
NEW YORK, NY 07001

P

L

E

RADIUS MAP & PETITION/OWNERS LIST

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF _____

Re: Property Owners List within 500 feet of:

Address/Location: _____

Legal Description: _____

I certify that the attached ownership list, maps and mailing labels provide a complete and accurate representation of the real estate property and property owners within 500 feet of the subject property listed above. This reflects the most recent Miami-Dade County Tax records.

(Signature)

(Printed Name)

(Company Name)

(Address)

Affix
Corporate
Seal

(Telephone)

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, _____ BY _____.

DID TAKE AN OATH [] OR DID NOT TAKE AN OATH []

PERSONALLY KNOWN [] OR PRODUCED IDENTIFICATION []

TYPE OF IDENTIFICATION PRODUCED: _____

SIGNATURE OF NOTARY PUBLIC

NAME OF NOTARY TYPED, PRINTED, OR STAMPED

MY COMMISSION EXPIRES

City of Hialeah* & *Building Department

501 Palm Avenue Hialeah, FL 33010

(305) 883-5825



INSTRUCTIONS TO CUSTOMERS PROCESSING VIOLATIONS

1. After receipt of a Notice of the Violation from the Building or Code Compliance Department and depending on the type of violation, the owner is to hire an Architect or Engineer and have that professional visit the site to determine if the structure can meet the applicable codes. All violations involving an erected structure shall require an Architect or Engineer.
2. The professional shall meet with the Zoning Department to see if any variance hearings are required to bring the structure into compliance with any setback, lot coverage, or any other zoning regulation.
3. Once the professional has determined the structural worthiness and applicable zoning regulations, a recommendation for demolition or to proceed with plans/documents will be decided between owner and professional.
4. Submit application and duplicate copies of survey, plans and any other documents necessary for the permitting process to the Application Counter in the Building Department.
5. After acquiring a process number, go to Zoning Department for a review and obtain an approval or an "OK to Process" (OTP). If Zoning rejects the process stops.
6. Meet with Building Inspector for your area to set up a courtesy inspection. (Courtesy inspections are requested 24 hours in advance and done as time allows).
7. Building inspector will advise owner and/or professional retained by owner as to the necessary component certification required for the certification of the construction.
8. Building inspector will review and approve the construction certification from the professional and/or lab.
9. Processing continues at the Plans Processing Counter by leaving all documents with permit clerk. (No walk-thrus allowed for violations)
10. Permit will be issued upon successful completion of the plans processing and payment of the permit/violation fees.
11. Proceed to request all pending inspections.
12. If final inspections are not requested and approved the violation has not been satisfied.



City of Hialeah & Building Department

501 Palm Avenue Hialeah, FL 33010
305-883-5825

INSTRUCCIONES A LOS CLIENTES QUE SE ENCUENTRAN EN TRAMITES DE CASOS DE VIOLACIONES

1. Luego de haber recibido un Aviso de Violación del Departamento de Construcción o del Departamento Encargado del Cumplimiento del Código y dependiendo de la naturaleza de la violación incurrida, el dueño debe contratar a un Arquitecto o Ingeniero, para que haga una visita profesional de inspección visual en la propiedad, a fin de estar en condiciones de poder determinar si es que la estructura se ajusta a los códigos en vigor. Toda violación que afecte una estructura construida exigirá la intervención de un Arquitecto or Ingeniero.
2. Dicho profesional tendrá que reunirse con el Departamento de Zonificación para determinar si se exige una audiencia solicitando variantes para que la estructura se ajuste a lo dispuesto con respecto a distancia de separación de la propiedad, cobertura del lote o cualquier otra regulación de zonificación.
3. Una vez que dicho profesional ha determinado la condición de la estructura y que la misma se ajusta a las regulaciones aplicables a zonificación, la recomendación para demolición o para en su caso proseguir con planos/documentos, tendrá que ser acordada entre el propietario y el citado profesional. Los planos de construcción tendrán que ser preparados por un Arquitecto o Ingeniero.
4. Presentar la solicitud y duplicado de copias del "survey" original, planos y cualesquiera otros documentos necesarios para el proceso de obtener el permiso correspondiente ante el Mostrador No. 1, Mostrador de Recepción para Solicitudes, situado en el Departamento de Construcción.
5. Una vez en posesión del número del proceso, tiene que ir al Departamento de Zonificación para revisar los documentos y además obtener la aprobación o el "OK para Procesar" (OTP).
6. Deberá entrevistarse con el Inspector de Construcción de su zona acordando una visita de cortesía para inspeccionar. (Dichas inspecciones de cortesía se acuerdan con 24 horas de anticipación y se llevan a cabo según lo permita el tiempo adecuado).
7. El Inspector de Construcción le indicará al dueño o al profesional contratado por el mismo, con respecto a la certificación del los componentes necesarios de la adición, exigidos para poder certificar la construcción.
8. El Inspector de Construcción revisará y aprobará el Certificado de Construcción expedido por el profesional o un laboratorio en su caso.

9. El proceso continúa ante el Mostrador Procesador de Planos (Mostrado No. 2) donde se presentarán todos los documentos con el empleado encargado de los permisos. (En los casos de violaciones no se autoriza procesar los documentos en persona).
10. El permiso se expedirá una vez que concluya exitosamente el proceso íntegro del trámite de los planos conjuntamente con el pago de los cargos correspondientes a violaciones/permisos.
11. Entonces procederá a solicitar todas las inspecciones pendientes.
12. En caso de no solicitar las inspecciones finales o que éstas no aprueben dicha obra, la violación no ha sido satisfecha ni rectificada y por consiguiente la obra continuará permaneciendo ilegal.